

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE FLINTKOTE COMPANY,

Plaintiff,

No. C 06-03565 MHP

v.

SULLIVAN & CROMWELL LLP,

Defendant.

**MEMORANDUM & ORDER**  
**Re: Motion to Remand**

Plaintiff The Flintkote Company ("Flintkote") filed this action against defendant Sullivan & Cromwell LLP ("S&C") in San Francisco County Superior Court on May 24, 2006. Flintkote alleges that S&C has improperly refused to deliver to Flintkote certain client files associated with S&C's previous representation of Flintkote. S&C timely removed to this court on June 2, 2006.

In support of removal, S&C argues that the question presented by Flintkote's complaint is a "core" bankruptcy matter and therefore subject to exclusive federal jurisdiction under In re Gruntz, 202 F.3d 1074 (9th Cir. 2000) (en banc). In a separate order filed concurrently herewith in case number C 05-03051, the court rejects S&C's reading of Gruntz and concludes that state courts retain concurrent jurisdiction over core bankruptcy matters. For the reasons stated in that order,

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1 which are equally applicable here, Flintkote's motion to remand is GRANTED. A certified copy of  
2 this order shall be sent to the Superior Court for the County of San Francisco, and the clerk shall  
3 close the file.

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6 IT IS SO ORDERED.

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9 Dated: July 27, 2006

  
MARILYN HALL PATEL  
District Judge  
United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
For the Northern District of California